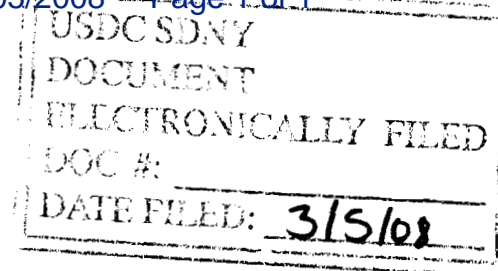


GIBSON, DUNN & CRUTCHER LLP

Honorable Richard M. Berman
March 3, 2008
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ALBERT T. BEANE, JR., et. al.,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON, BNY
CONVERGEX EXECUTION SOLUTIONS LLC
and CALLAN ASSOCIATES, INC.,

Defendants.
----- X

ORDER

07-cv-9444 (RMB)

~~PROPOSED~~ REVISED SCHEDULING ORDER

It is hereby ordered that the briefing schedule in the above-captioned matter, established by this Court and the parties on December 18, 2008, and reflected in a Minute Entry entered on the same date, be amended as follows:

Responses due by **March 14, 2008**.

Replies due by **April 4, 2008**.

Surreplies due by **April 11, 2008**.

RMB

The Honorable Richard M. Berman
United States District Judge

3/5/08